

In the High Court of Punjab and Haryana at Chandigarh

Crl. Revision No. 2828 of 2019

Date of Decision: 30.10.2019

Mahinder Singh @ Balli

.....Petitioner

Versus

State of Punjab

.....Respondent

CORAM: HON'BLE MR. JUSTICE HARNARESH SINGH GILL

Present: Mr. Fariad Singh Virk, Advocate
for the petitioner.

HARNARESH SINGH GILL, J

The petitioner has filed this petition challenging the order dated 1.10.2019, vide which the application moved by the petitioner for taking the voice sample of ASI Taranjeet Singh, Investigating Officer and sending the same along with CD for analysis, was dismissed.

In the application, it has been averred that after his cross-examination, ASI Taranjeet Singh took both the accused and their family members in the canteen, where his photographs and voice was recorded in the hidden camera.

The trial Court has dealt with the application and passed the following order:-

“The main averment of both the applicants/accused is that on the day of cross-examination, the Investigating Officer of this case, namely, ASI Taranjit Singh took both accused and their family members in the canteen, where, the Investigating Officer Taranjit Singh confessed that, in fact, nothing was recovered

from any of the accused and that the accused have been falsely implicated. The said confession of ASI Taranjit Singh was recorded and now, the present application be allowed, whereby, summoning ASI Taranjit Singh and taking his voice sample for comparison purposes but the said alleged recorded conversation is in no way connected with the facts of the case nor with the evidence of the case. Moreover, there is no authenticity attached to the said CD. No requisite certificate as required under the Act is attached with the said CD. Therefore, no ground is made out for allowing the present application. Thus, the present application stands dismissed.”

Since the proceedings before the trial Court are going, at this stage, no ground for interference by this Court is called for.

The petition is dismissed.

(HARNARESH SINGH GILL)
JUDGE

October 30, 2019
Gurpreet

Whether speaking/reasoned : Yes
Whether reportable : No